IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.16382 of 2006

Dated: 9th August, 2006

Between:

J.Shivanandam @ Kishan

.. Petitioner

and

The Revenue Divisional Officer,
Sanga Reddy, Medak district & others.

.. Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.16382 of 2006

ORDER:

With the consent of both the counsel, the writ petition is taken up for disposal at the stage of admission.

This writ petition is filed challenging the impugned proceedings dated 18.2.2006 cancelling the authorization of the Fair Price Shop of the petitioner against Shop No.6 of Sanga Reddy. In fact aggrieved by the same, petitioner already filed statutory appeal before the second respondent-Joint Collector and the Joint Collector by order dated 26.6.2006 dismissed the appeal. Questioning the same, petitioner in fact preferred revision before the third respondent-District Collector and the said revision is pending. However, his stay petition was rejected.

Prima facie, I am of the opinion that the very impugned proceedings dated 18.2.2006 passed by the first respondent-Revenue Divisional Officer is without putting the petitioner on notice i.e. show cause notice, therefore, the same is liable to be set aside. However, since the petitioner had already availed the remedy of appeal and thereafter revision is pending before the District Collector, I deem it appropriate not to interfere with the impugned proceedings at this stage. However, the third respondent-revisional authority is directed to dispose of the revision filed by the petitioner within a period of two months from the date of receipt of a copy of this order. The third respondent shall take into consideration as to whether any show cause notice has been issued to the petitioner before passing the impugned order by the first respondent-Revenue Divisional Officer, which was confirmed by the second respondent-appellate authority and pass appropriate orders as per law and communicate the same to the petitioner.

With the above observation and direction, the writ petition is accordingly disposed of. No order as to costs.

_____

C.V.RAMULU,
J

Date: 9.8.2006

Note: Issue C.C. in (2) days.
B/o
DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.16382 of 2006

9.8.2006